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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

MICHAEL EDELSTEIN, et al.,

Plaintiffs and Appellants,

v.

PATRICIA FADO, as Director of
Elections, ETC.,

Defendant and Respondent.

A093007

(San Francisco County
Super. Ct. No. 308057)

After this court issued its original decision reversing the trial court's judgment in this matter with directions, the Supreme Court granted review and reversed the judgment of this court, holding that the challenged former provision of respondent's election code did not violate appellants' free speech rights. (*Edelstein v. City and County of San Francisco* (2002) 29 Cal.4th 164.) On examination we have concluded that the Supreme Court's disposition leaves nothing for us to determine except costs. We see no reason to depart from the usual practice of awarding costs on appeal to the prevailing party.

The judgment of the superior court is affirmed. Costs to respondent.

Sepulveda, J.

We concur:

Kay, P.J.

Reardon, J.